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of Engineers ®**
Mississippi Valley Division
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Devils Lake Recommendations

VICKSBURG, Miss., June 23, 1999 -- The U.S. Army Corps of Engineers recognizes that emergency conditions exist within the Devils Lake area and will continue to respond, to the limit of its authority, to minimize damages within the basin.

A Mississippi Valley Division and St. Paul District team has completed a special study to determine if an emergency outlet and other features of work are warranted in the Devils Lake Basin. The analyses from this study resulted in the conclusion that an outlet is not the necessary or appropriate solution, at this time.

The study included investigations of various scenarios and plans of action to address the potential impacts of those scenarios.

Three outlet plans were reviewed; however, none of the outlet plans showed benefits exceeding costs. Laws and long-standing policies require that the Corps perform evaluations to determine whether or not proposed projects are economically feasible -- in other words, do the economic benefits exceed the costs?

The study also resulted in a list of six recommendations (attached). These recommendations will be included in an Interim Report to Congress that will be completed and submitted by July 15 for review and approval to the Headquarters, U.S. Army Corps of Engineers, and the Assistant Secretary of the Army for Civil Works.

A Final Report to Congress will be submitted in response to the requirements of the Energy and Water Development Appropriation Acts of 1998 and 1999 and will address all evaluation criteria set forth in those Acts (the Acts state, in part, that construction of the project must be technically sound, economically justified, in compliance with the National Environmental Policy Act of 1969 and coordinated as required under the 1909 Boundary Waters Treaty).

The Corps continues to work with the entire North Dakota congressional delegation and the state of North Dakota officials to seek a solution to the severe flooding problems in the Devils Lake Basin.

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RECOMMENDATIONS

1. Establish six (6) feet of freeboard as the levee design standard for advance measures on Devils Lake.
2. Immediately proceed with necessary reports to include compliance with the National Environmental Policy Act and Project Cooperation Agreement Amendment to raise Devils Lake Levee to top of levee 1460.
3. Following completion of necessary reports and Project Cooperation Agreement, raise Devils Lake levee to top of levee 1460.
4. Complete Interim Report to Congress within 30 days for submittal to Headquarters, U.S. Army Corps of Engineers, and the Assistant Secretary of the Army for Civil Works. Interim Report will target holding lake level at elevation 1454 or lower.
5. Complete Final Report to Congress with analyses of several alternatives, including outlet plans. One of those plans will have as an objective holding the lake to elevation 1454. The Final Report to Congress will include a fully coordinated Environmental Impact Statement. The Report to Congress will also address the other criteria of the Energy and Water Development Appropriations Acts, 1998 and 1999. Subject to analyses favorable to an outlet, plan completion of the Report to Congress to allow initiation of plans and specifications if the lake approaches elevation 1452 (about 2005) and construction if the lake approaches elevation 1453 (about 2006).
6. Continue to define trigger points for other actions around the lake. Provide incremental protection for Churchs Ferry, Minnewaukan, Spirit Lake Nation, and other communities in accordance with PL 84-99 and in coordination with local, State and other Federal interests.

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